

### **Notice of Not Fully Responsive Amendment**

1. The reply filed on 1/7/2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): in order to be entitled to reconsideration and further examination, the applicant must reply to every ground of objection and rejection in the prior Office action. In the instant case, the reply does not properly reply to the Double Patenting rejection in the Office action dated 10/16/2008. See 37 CFR 1.111. Further, note that the Examiner will **NOT** indicate the subject application contains allowable claim(s) when the Double patenting rejection is remained in the application. Therefore, in order to expedite the application and to avoid any unnecessary delay, in the event that only the double patenting rejection is remained in the application, a Terminal Disclaimer should be filed promptly. If the applicant refuses to file a Terminal Disclaimer in order to fully respond to the Office action dated 10/16/2008, applicant must specifically points out the supposed errors in the examiner's action. Further, this is a **THIRD** time that the examiner has been requesting the applicant to properly respond to the double patenting rejection since 5/28/2008.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy H. Nguyen whose telephone number is 571-272-7675. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached at 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jimmy H Nguyen/

Primary Examiner, Art Unit 2629